

PATENT ATTORNEY DOCKET NO.: 040894-5959

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) .
Takehiro MATSUDA) Confirmation No.:4898
Application No.: 10/665,366) Group Art Unit: To Be Assigned
Filed: September 22, 2003) Examiner: To Be Assigned
For: OPTICAL PICKUP APPARATUS)
Commissioner for Patents	

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

<u>INFORMATION DISCLOSURE STATEMENT</u> <u>UNDER 37 C.F.R. § 1.97(b)</u>

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

A European Search Report dated December 23, 2003 is attached. Applicant respectfully requests that the Examiner consider the European Search Report along with the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form-1449.

Relevance of the documents can be ascertained from the enclosed European Search Report.

Attorney Docket No.: 040894-5959

Application No.: 10/665,366

Page 2

This submission does not represent that a search has been made or that no better art exists

and does not constitute an admission that each or all of the listed documents are material or

constitute "prior art." If it should be determined that any of the listed documents do not

constitute "prior art" under United States law, Applicant reserves the right to present to the

Office the relevant facts and law regarding the appropriate status of such document.

Applicant further reserves the right to take appropriate action to establish the patentability

of the disclosed invention over the listed documents, should one or more of the documents be

applied against the claims of the present application.

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby

authorized by this paper to charge any additional fees during the entire pendency of this

application including fees due under 37 C.F.R. § 1.16 and 1.17 which may be required, including

any required extension of time fees, or credit any overpayment to Deposit Account No. 50-0310.

This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF

TIME in accordance with 37 C.F.R. \S 1.136(a)(3).

Respectfully submitted,

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Dated: February 25, 2004

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Application No.: INFORMATION DISCLOSURE CITA Attorney Docket No.: 040894-5959 10/665,366 (Use several sheets if necessary) Applicant(s): PAGE 1 OF 1 Takehiro MATSUDA PTO Form-1449 Filing Date: September 22, 2003 Group: Unassigned **U.S. PATENT DOCUMENTS** Document Examiner Sub Initial Number Date Name Class Class Filing Date 5,128,806 Jul. 7, 1992 Ohno 359 813 Oct. 16, 1990 5,165,088 Nov. 17, 1992 Suzuki et al. 369 44.14 Jan. 30, 1990 May 9, 1995 5,414,563 Tanaka 359 814 Jul. 28, 1993 5,548,449 Aug. 20, 1996 Matsui et al. 359 814 Jun. 7, 1994 FOREIGN PATENT DOCUMENTS Document Sub Translation Number Date Class **Country** Class Yes No Europe EP 0 764 945 Mar. 26, 1997 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Matsui et al., "Three-Axis Balanced Driving-Type Optical Head for High-Density Optical Disc Player,", Electronics & Communications in Japan, Part II - Electronics, Scripta Technica, New York, U.S. Vol. 77, No. 7, pps. 92-103, July 1994

Examiner

Date Considered

Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication.